

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WOLFGANG ALEXANDER LUCAS
VASQUEZ,

Defendants.

CR 20–17–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendations in this matter on August 12, 2020. (Doc. 44.) Neither party objects, and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge DeSoto recommended this Court accept Wolfgang Alexander Lucas Vasquez’s guilty plea after Vasquez appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of being a felon in possession of ammunition in violation of 18 U.S.C. § 922(g)(1) as set forth in the Superseding Information.

The Court finds no clear error in Judge DeSoto's Findings and Recommendation, and adopts them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. Accordingly,

IT IS ORDERED that the Findings and Recommendations is ADOPTED in full. Wolfgang Alexander Lucas Vasquez's motion to change plea (Doc. 34) is GRANTED and Vasquez is adjudged guilty as charged in Count I of the Superseding Information.

DATED this 27th day of August, 2020.



Dana L. Christensen, District Judge
United States District Court